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THE CHAIRMAN

FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON

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FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

93-253

Honorable Robert Kerrey  
United States Senate  
316 Hart Senate Office Building  
Washington, D.C. 20510

Dear Senator Kerrey:

This in reply to your letter of September 13, 1993, on behalf of your constituents William D. Dendinger and Dorothy A. Fogle. Mr. Dendinger and Ms. Fogle are concerned about the impact of the competitive bidding provisions of the Omnibus Budget Reconciliation Act of 1993 (Budget Act) on small businesses and rural telephone companies. Your letter was referred to me because the Office of Plans and Policy is responsible for implementing the competitive bidding provisions of the Budget Act for the Commission.

On October 12, 1993, the Commission released a Notice of Proposed Rule Making, PP Docket No. 93-253 (Auction NPRM), to implement the provisions of the Budget Act concerning competitive bidding. According to the Budget Act, the Commission must ensure the economic opportunity of small businesses, businesses owned by women and minorities and rural telephone companies. To meet this Congressional mandate, the Auction NPRM proposed a variety of financial incentives for the designated entities. Specifically, we proposed to offer the designated entities the equivalent of government financing for payment of their bids for services subject to competitive bidding *i.e.*, installment payments with interest. We also asked for comment on the use of tax certificates. In the case of broadband PCS, the Commission also proposed to set-aside two blocks of spectrum in each market, one of 20 MHz and one of 10 MHz, for bidding by the designated entities. In this manner, the designated entities would only compete with one another for broadband PCS rather than against larger entities with easier access to capital. As we consider the comments filed in the competitive bidding proceeding, I can assure you that we will keep in mind our mandate to ensure economic opportunity for the designated entities, including small businesses and rural telephone companies, as required by the Budget Act.

Sincerely,

Robert Pepper  
Chief  
Office of Plans and Policy

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2 Copies

J. ROBERT KERREY  
NEBRASKA

United States Senate  
WASHINGTON, DC 20510

OET  
90-314

September 13, 1993

3/10

Congressional Liaison  
Federal Communications Commission  
1919 M Street, NW, Room 808  
Washington, D.C. 20554

In Reply Refer To: CO3253090003  
William Dendinger  
Dorothy Fogle

Dear Sir or Madam:

I am enclosing a letter from William Dendinger and Dorothy Fogle whose problem falls within your jurisdiction.

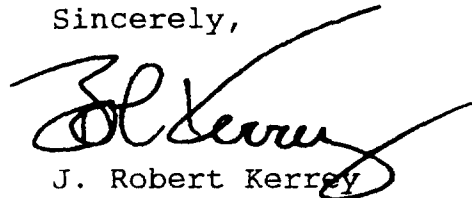
I would appreciate any information which will enable me to respond to my constituent's inquiry. ~~Please~~ **return** the enclosed correspondence with your report to:

The Honorable Bob Kerrey  
7602 Pacific Street  
Suite 205  
Omaha, Nebraska 68114

Attention: Joe Solomon

Thank you for your assistance in this matter.

Sincerely,



J. Robert Kerrey

Enclosure



HARTINGTON TELEPHONE COMPANY



93 SEP -2 AM 11:23

Phone 254-3901  
Hartington, Nebraska 68739

13 AUG 90 PM 12:57

August 26, 1993

Senator J. Robert Kerrey  
303 Hart Bldg.  
Washington, DC 20510

Dear Senator Kerrey:

I am writing to formally ask for your help in providing our rural telecommunications business the opportunity to obtain a PCS/PCN license. We have been advised that the FCC Commissioners and staff are seriously considering not including the local exchange companies or handicapping us if we do become eligible for PCS license.

Help us get the opportunity to offer our customers this new service in your state.

Sincerely,

Wm D. Dendinger  
Manager

enclosure

# Pierce Telephone Company, Incorporated

Dorothy A. Fogle  
President

William E. Fogle  
Vice-President & General Manager

Mary Jane Fogle  
Secretary/Treasurer

402-329-8225

P.O. Box 113  
112 S. 2nd Street  
Pierce, Nebraska 68767  
9/15/93 11:53

FAX 402-329-4008

August 19, 1993

Honorable Robert Kerrey  
United States Senate  
302 Hart Senate Office Building  
Washington, D. C. 20510

Dear Senator Kerrey:

Enclosed is a copy of a letter sent to the FCC Assistant Secretary, Mr. William Caton, by Pierce Telephone Company, Incorporated.

We hope the serious consideration by the FCC of precluding local exchange carriers from offering PCS or PCN, or limiting their ability to offer this new service can be influenced in a positive manner by the many small telephone companies response and the Congress of the United States.

We appreciate any consideration you can give these very important commission rules.

Very sincerely yours,

  
Dorothy A. Fogle  
President

cc: USTA  
NTA

# Pierce Telephone Company, Incorporated

Dorothy A. Fogle  
President

William E. Fogle  
Vice-President & General Manager

Mary Jane Fogle  
Secretary/Treasurer

402-329-6225

P.O. Box 113  
112 S. 5th Street  
Pierce, Nebraska 68767

FAX 402-329-4006

August 19, 1993

Mr. William Caton  
Acting Secretary  
Federal Communications Commission  
1919 M Street, N.W. 2nd Floor  
Washington, DC 20554

Re: Amendment of the Commission's Rules to  
Establish New Personal Communications  
Services-GEN Docket No. 90-314

Dear Mr. Caton:

Pierce Telephone Company, Incorporated, Pierce, Nebraska, is a local exchange carrier providing telephone service in Pierce County, Stanton County and Wayne County in the state of Nebraska. We have just under 1800 access lines and our telephone area covers 550 squares miles. The Fogle family has owned and operated this business since 1955.

This is the first time our company has contacted the FCC directly. We are doing so in regard to GEN Docket 90-314. We urge you, strongly, to grant personal communication service licenses, and set aside the requisite spectrum for us to provide PCS in our telephone area.

Our company is already committed to the concept of "Universal Service at reasonable rates" for all our subscribers. Service is our "number one" business. No one is better suited than we are to provide PCS to the people in our telephone area at the lowest cost.

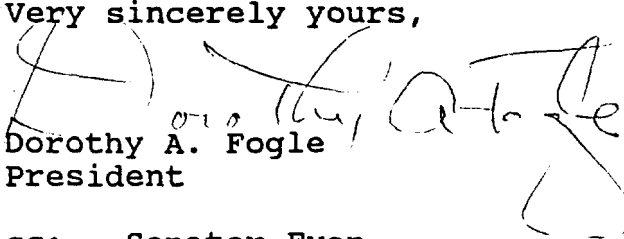
We are also actively involved in Nebraska Cellular which is made up mostly of small Nebraska telephone companies working together.

When Congress passed the Budget Reconciliation bill, they specifically mandated "rural telephone companies be given the opportunity to participate in the provisions of spectrum-based services, and for such purposes consider the use of tax certificates and bidding preferences".

Pierce Telephone Company, Incorporated installed a new digital switch in 1992 with SS7 capability and buried fiber optics in the towns of Pierce and Hoskins with a 20 mile fiber link between the two exchanges.

Will we be offered the opportunity to meet our customers future requirements with the deployment of a PCS system?

Very sincerely yours,



Dorothy A. Fogle  
President

cc: Senator Exon  
Senator Kerrey  
Congressman Barrett  
Congressman Bereuter  
Congressman Hoagland